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In re Application of	:	
Angela Bowman et al.	:	
Application No.: 09/787,461	:	
PCT No.: PCT/GB00/01857	:	NOTIFICATION
International Filing Date: 15 May 2000	:	
Priority Date: 13 May 1999	:	
For: COMPOSITIONS AND USES OF ET743	:	
FOR TREATING CANCER	:	

This application is before the PCT Legal Office for matters pertaining to 35 U.S.C. 371.

### BACKGROUND

On 15 May 2000, applicants filed international application PCT/GB00/01857 which claimed priority to several earlier United Kingdom applications, the earliest of which was filed on 13 May 1999. A Demand for international preliminary examination, in which the United States was elected, was filed prior to the expiration of nineteen months from the priority date. Accordingly, the thirty month period for paying the basic national fee in the United States expired at midnight on 13 November 2001.

On 02 March 2001, applicants filed a petition for a retroactive foreign filing license with respect to international application PCT/GB00/01857 which included, *inter alia*, a copy of the international application. This filing was assigned United States application number 09/787,461.

On 13 November 2001, applicants filed a Transmittal Letter (Form PTO-1390) for entry into the national stage in the United States under 35 U.S.C. 371 accompanied by, *inter alia*, the requisite basic national fee. This filing was assigned United States application number 10/031,810.

### DISCUSSION

The United States Patent and Trademark Office (PTO) has inadvertently assigned two

national stage application numbers to communications filed by the applicants with respect to the United States national stage entry of international application PCT/GB00/01857. Accordingly, the files will be combined and all future correspondence should be directed to application number 09/787,461.

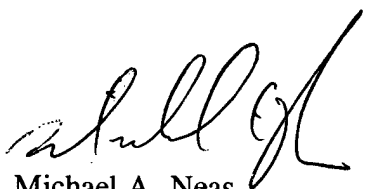
On 23 September 2003, a revocation of power of attorney and appointment of agent was filed by counsel from the law firm Morgan & Finnegan, LLP on behalf of assignee Pharma Mar, S.A. The revocation is not effective because the assignee has not established their right to take action in accordance with 37 CFR 3.73(b) and MPEP 324. More specifically, the assignee has not submitted documentary evidence of a chain of title from the original owner to the assignee (e.g., a copy of an executed assignment submitted for recording) or by specifying (e.g., reel and frame number) where such evidence is recorded in the PTO.

### CONCLUSION

The contents of application 09/787,461 and 10/031,810 will be combined. Application number 10/031,810 will be removed/deactivated from the PTO's electronic application records (Patent Application Location and Monitoring). All future correspondence should be directed to application number 09/787,461.

Correspondence in the instant application will continue to be sent to counsel indicated above since the revocation filed 23 September 2003 is not effective.

The application is being forwarded to the United States Designated/Elected Office for processing in accordance with this decision and for processing under 35 U.S.C. 371.



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